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RESPONSE UNDER 37 C.F.R. §1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 1654

Attorney Docket No. A2006-700045

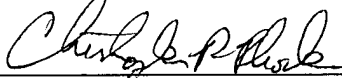
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Wainwright, et al.  
Serial No: 09/998,780  
Confirmation No.: 7532  
Filed: December 3, 2001  
For: ENDOTOXIN BINDING AND NEUTRALIZING PROTEIN AND  
USES THEREOF  
Examiner: Anish Gupta  
Art Unit: 1654

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 28<sup>th</sup> day of February 2005.

  
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Christopher R. Rhodes

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Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Dear Sir:

Applicant appeals to the Board of Patent Appeals and Interferences the decision in the final Office Action mailed on 30 November 2004, finally rejecting claims 71, 72 and 80-83. This appeal is taken with respect to all pending claims.

The Notice of Appeal fee of \$250.00 as set forth in 37 C.F.R. § 41.20(b)(1) is enclosed.

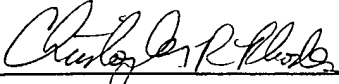
03/03/2005 AWONDAF1 00000055 09998780

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The Commissioner is hereby authorized to charge any deficiencies or overpayments to Deposit Account 50/2762 (Ref. A2006-700045) of the undersigned attorneys.

Respectfully submitted,  
*For Wainwright et al.*

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Date: February 28, 2005